

# Calendar No. 947

91ST CONGRESS }  
2d Session }

SENATE

{ REPORT  
No. 91-944

## KATHRYN TALBOT

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JUNE 24, 1970.—Ordered to be printed

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Mr. EASTLAND, from the Committee on the Judiciary,  
submitted the following

## R E P O R T

[To accompany S. 2661]

The Committee on the Judiciary, to which was referred the bill (S. 2661) for the relief of Kathryn Talbot, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE

The purpose of the bill is to relieve the claimant of liability for payment to the United States of the sum of \$5,458.13, the amount of cash and stamps lost in a burglary at the Chaumont, N.Y., Post Office.

### STATEMENT

The Post Office Department has no objection to the enactment of the bill.

In its report the Post Office Department has set forth the facts of the case as follows:

The bill would relieve Mrs. Kathryn Talbot of liability for payment of the sum of \$5,458.13 to the United States, representing the amount of cash and stamps taken from the Chaumont, N.Y. Post Office when that office was burglarized during the weekend of July 22-23, 1967.

An investigation disclosed that at the time of the burglary proper safeguarding precautions had not been taken to secure the subject funds and stock and that the door to the safe had not been fully locked as required by postal regulations (Postal Manual, sec. 442.221). Since the maximum available protection was not used to secure the funds and stock of the post office, Mrs. Talbot, as clerk-in-charge was held accountable for the loss.

The case was submitted by the Department to the General Accounting Office with a recommendation that the claim for credit be allowed on the basis that the improper practices at the Chaumont Post Office that gave rise to the loss existed prior to the time Mrs. Talbot was designated clerk-in-charge. However, the General Accounting Office affirmed the Postal Data Center ruling disallowing the claim on the grounds of negligence.

Mrs. Talbot was clerk-in-charge of the post office incident to the disability retirement of the former postmaster. The accountability for the office was transferred to her as of the close of business June 26, 1967.

Clerk-in-Charge Talbot stated that on July 5, 1967, the combinations on the office safes were changed, that the only persons who knew the combination in addition to herself were two other clerks; that she never gave the clerks any instructions on the closing of the safe since both were employed at the post office prior to the time she assumed charge and she assumed that the former postmaster instructed them in this matter. Further, that when she is on duty she always closes the post office safe, and she therefore never witnessed the other clerks closing it.

The former postmaster was interviewed so as to ascertain if he was familiar with the letter of instruction to postmasters dated February 24, 1967, relating to the protection of funds, stock and registered mail. The former postmaster was unable to recall the specific letter. Further, he could not remember if he brought the letter to the attention of his employees.

It is our opinion that Mrs. Kathryn Talbot performed her duties conscientiously and to the best of her ability; that she was neither a participant nor an accessory in the burglary; and that the improper practices at the office giving rise to the loss existed before she was clerk-in-charge. Accordingly, the Department has no objection to the enactment of S. 2661.

The Bureau of the Budget has advised that there is no objection to the submission of this report to the committee from the standpoint of the administration's program.

The committee believes that the bill, S. 2661, is meritorious and recommends it favorably.

Attached and made a part of this report is a letter dated November 17, 1969, from the Post Office Department.

POST OFFICE DEPARTMENT,  
Washington, D.C., November 17, 1969.

HON. JAMES O. EASTLAND,  
*Chairman, Committee on the Judiciary, U.S. Senate,*  
*Washington, D.C.*

DEAR MR. CHAIRMAN: The Postmaster General has asked me to reply to your request for a report on S. 2661, a bill "For the relief of Kathryn Talbot."

The bill would relieve Mrs. Kathryn Talbot of liability for payment of the sum of \$5,458.13 to the United States, representing the amount of cash and stamps taken from the Chaumont, N.Y. Post Office when that office was burglarized during the weekend of July 22-23, 1967.

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The Bureau of the Budget has advised that there is no objection to the submission of this report to the committee from the standpoint of the administration's program.

Sincerely,

DAVID A. NELSON,  
*General Counsel.*

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